

**BOIES SCHILLER FLEXNER LLP**

David Boies (admitted pro hac vice)  
333 Main Street  
Armonk, NY 10504  
Tel.: (914) 749-8200  
dboies@bsflfp.com

Mark C. Mao, CA Bar No. 236165  
Beko Reblitz-Richardson, CA Bar No. 238027  
44 Montgomery St., 41st Floor  
San Francisco, CA 94104  
Tel.: (415) 293-6800  
mmao@bsflfp.com  
brichardson@bsflfp.com

James Lee (admitted pro hac vice)  
Rossana Baeza (admitted pro hac vice)  
100 SE 2nd St., 28th Floor  
Miami, FL 33131  
Tel.: (305) 539-8400  
jlee@bsflfp.com  
rbaeza@bsflfp.com

Alison L. Anderson, CA Bar No. 275334  
M. Logan Wright, CA Bar No. 349004  
2029 Century Park East, Suite 1520  
Los Angeles, CA 90067  
Tel.: (213) 995-5720  
alanderson@bsflfp.com  
mwright@bsflfp.com

**SUSMAN GODFREY L.L.P.**

Bill Carmody (admitted pro hac vice)  
Shawn J. Rabin (admitted pro hac vice)  
Steven M. Shepard (admitted pro hac vice)  
Alexander Frawley (admitted pro hac vice)  
Ryan Sila (admitted pro hac vice)  
One Manhattan West, 50<sup>th</sup> Floor  
New York, NY 10001  
Tel.: (212) 336-8330  
bcarmody@susmangodfrey.com  
srabin@susmangodfrey.com  
sshepard@susmangodfrey.com  
afrawley@susmangodfrey.com  
rsila@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Tel.: (310) 789-3100  
abonn@susmangodfrey.com

**MORGAN & MORGAN**

John A. Yanchunis (admitted pro hac vice)  
Ryan J. McGee (admitted pro hac vice)  
Michael F. Ram, CA Bar No. 104805  
201 N. Franklin Street, 7th Floor  
Tampa, FL 33602  
Tel.: (813) 223-5505  
jyanchunis@forthepeople.com  
rmcgee@forthepeople.com  
mram@forthepeople.com

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, SAL  
CATALDO, JULIAN  
SANTIAGO, and SUSAN LYNN  
HARVEY, individually and on behalf of all  
others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No.: 3:20-cv-04688-RS

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS' RENEWED MOTION TO  
DIRECT NOTICE TO MEMBERS OF  
THE CERTIFIED CLASSES**

The Honorable Richard Seeborg  
Courtroom 3 – 17th Floor  
Date: June 6, 2024  
Time: 1:30 p.m.

On January 3, 2024, the Court granted Plaintiffs’ motion for class certification, certifying two classes under Rule 23(b)(3) and Rule 23(b)(2), each to pursue three claims against Google. Dkt. 352. On March 7, 2024, Plaintiffs submitted for consideration a proposed class notice program (“the Class Notice Plan”). Dkt. 368. On April 5, 2024, the Court modified the certified Classes. Dkt. 384. On April 26, 2024, Plaintiffs renewed their motion for approval of the class notice plan as modified to conform to the Court’s April 5 Order (the “Motion” and the “Revised Class Notice Plan”). For the reasons stated herein, Plaintiffs’ Motion for approval of the Revised Class Notice Plan is **GRANTED**.

The Revised Class Notice Plan complies with Rule 23 and due process and shall be executed consistent with Plaintiffs’ Motion and documents supported in support thereof.

Plaintiffs’ proposed Class Notice Administrator is appointed to administer the Revised Class Notice Plan, who shall be vested with all duties and responsibilities to effectuate the Revised Class Notice Plan.

The Revised Class Notice Plan will shall proceed on the schedule as previously ordered by the Court. Dkt. 367. The Notice Period will begin 30 days after the date of this Order. The Notice Period will last for 45 days. The opt-out deadline is 60 days after the conclusion of the Notice Period. No later than 30 days after the opt-out deadline, Plaintiffs will report opt-out information to the Court.

The Court has also reviewed Plaintiffs’ proposed class period, as agreed to by Google, and determined that the class period should be defined as starting on July 1, 2016 and continue through the date that the notice program begins (the “Class Period”). *See, e.g., In re Wal-Mart Stores, Inc. Wage and Hour Litig.*, 2008 WL 1990806, at \*6 (N.D. Cal. May 5, 2008).

Finally, any class member who fails to opt out within the period specified in the notice will be deemed a member of the class. *Officers for Justice v. Civil Service Comm’n*, 688 F.2d 615, 634-635 (9th Cir. 1982); *Low v. Trump University, LLC*, 881 F.3d 1111 (9th Cir. 2018). Class members must choose whether to remain in the class during the opt-out period. *See Officers for Justice*, 688 F.2d at 634-35 (rejecting argument that “due process requires that members of a Rule 23(b)(3) class be given a second chance to opt out”). If class members do not opt out within the period

specific in the notice, they will not have a subsequent opportunity to do so. *Trump University*, 881 F.3d at 1111.

**DONE** and **ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Honorable Richard Seeborg  
Chief United States District Judge